

No. 3:21-cv-00168

1

consent of the Plaintiff States, Defendants moved to voluntarily dismiss their appeal of an injunction against the Interim Guidance, which the Fifth Circuit granted. *See Order, Texas v. United States*, No. 21-40618 (Feb. 12, 2022); Appellants' Mot., *Texas v. United States*, No. 21-40618 (Dec. 6, 2021). The Ninth Circuit likewise dismissed Arizona's appeal of a denial of a preliminary injunction of the Interim Guidance because the appeal was moot. *Order, State of Arizona v. U.S. Dep't of Homeland Security*, No. 21-16118 (Jan. 21, 2022). And Florida voluntarily dismissed its appeal of a denial of a preliminary injunction of the Interim Guidance because the appeal was moot. Appellant's Mot., *Florida v. United States*, No. 21-11715 (Dec. 10, 2021).

This Court correctly denied Plaintiffs' motion for preliminary injunction of enforcement guidance that has been rescinded. Plaintiffs' motion for reconsideration should be denied.

Dated: March 2, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

BRIGHAM J. BOWEN
Assistant Branch Director

/s/ Brian Rosen-Shaud
BRIAN C. ROSEN-SHAUD
Attorney-in-charge
ME Bar No. 006018
ADAM D. KIRSCHNER
IL Bar. No. 6286601
Senior Trial Counsel
MICHAEL F. KNAPP
CA Bar No. 314104
KUNTAL CHOLERA
DC Bar No. 1031523

Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
Tel: (202) 305-7667
Fax: (202) 616-8460
Email: Brian.C.Rosen-Shaud@usdoj.gov
Adam.Kirschner@usdoj.gov
Michael.F.Knapp@usdoj.gov
Kuntal.Cholera@usdoj.gov

Mailing Address:
Post Office Box 883
Washington, D.C. 20044

Courier Address
1100 L Street NW
Washington, D.C. 20005

EREZ REUVENI
CA Bar No. 264124
Assistant Director
U.S. Department of Justice
Civil Division, Office of Immigration Litigation
P.O. Box 868, Ben Franklin Station
Washington, D.C. 20044
202-307-4293 (telephone)
Email: Erez.R.Reuveni@usdoj.gov

Counsel for Defendants

DANIEL DAVID HU
Assistant United States Attorney
Chief, Civil Division
State Bar No. 10131415
S.D. I.D. 7959
Southern District of Texas
1000 Louisiana, Suite 2300 Houston, TX 77002
Tel: (713) 567-9000
Fax: (713) 718-3300
Daniel.Hu@usdoj.gov

Local Counsel

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on March 2, 2022.

/s/ Brian Rosen-Shaud
BRIAN C. ROSEN-SHAUD